



140 Grand Street, Suite 705, White Plains, New York 10601
t 914.686.1500 • f 914.487.5000 • www.yankwitt.com

White Plains, NY
Atlantic City, NJ

November 20, 2023

Via Electronic Case Filing

The Honorable Vincent L. Briccetti
United States District Court
Southern District of New York
United States Courthouse
300 Quarropas Street, Courtroom 630
White Plains, New York 10601

Re: *White Plains Aviation Partners, LLC, d/b/a Million Air White Plains v. The County of Westchester*, Case No. 21 Civ. 5312 (VB)

Dear Judge Briccetti:

Pursuant to the Court's Order, dated September 22, 2023, counsel for plaintiff White Plains Aviation Partners, LLC, d/b/a Million Air White Plains ("Million Air"), and counsel for defendant County of Westchester (the "County"), jointly submit this status update regarding their ongoing discussions concerning a number of the material issues in the above-referenced matter. As set forth below, based on the current status of these discussions, the parties jointly request a continued stay of the litigation, from November 30, 2023, until January 30, 2024.

Previously, by Order dated September 22, 2023, the Court granted the parties' joint request to stay this action until November 30, 2023, because of ongoing discussions concerning a number of the material issues in the case, including a proposal to put a "T-Hangar" on Million Air's leased premises back into service, as well as other issues that relate to light general aviation use and Million Air's proposed new hangar. Since the Court's Order, the parties have agreed on a course of action to put the T-Hangar back into service, a process which is scheduled to be completed by mid-December, and continue to be engaged in discussions that relate to light general aviation use and Million Air's proposed new hangar, including with the involvement of the Federal Aviation Administration. Million Air has continued to make efforts to address the concerns raised by the County, and these discussions and actions have required increasing expenditures of resources and time by both parties.

Most importantly, the parties' ongoing actions all continue to relate directly to the claims and/or counterclaims in this action, and have the potential to resolve some or all of them. Even if the parties are unable to resolve the entire litigation, the parties' ongoing efforts should, at a minimum, streamline or reduce the material issues in the case, allowing for more focused and reduced discovery and depositions. An additional stay will also allow the parties to continue to focus their resources on these involved discussions and associated tasks.

For all of these reasons, the parties jointly request a continued stay of the current litigation, until January 30, 2024. If the Court grants this request, the parties propose that they be allowed to update the Court by January 20, 2024, as to the status of their ongoing discussions

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and efforts.

The parties thank the Court for its consideration of their request.

Respectfully submitted,

YANKWITT LLP
Counsel for Plaintiff Million Air

By: /s/ Russell M. Yankwitt
Russell M. Yankwitt
Ross E. Morrison
Jonathan Ohring

JOHN M. NONNA
Westchester County Attorney
*Counsel for Defendant County of
Westchester*

By: /s/John M. Nonna
John M. Nonna
Shawna Macleod
Sean Carey